REMARKS/ARGUMENTS

Claims 1-21 are pending in the current application. Claims 1, 2, 11, 12, and 21 are amended. Reconsideration of the claims is respectfully requested.

Claim 1 is amended to recite "communicating an identifier from the server partition to the client partition, and responsive to the client partition accepting the identifier, mapping the logical resource into a logical address space of the client partition, wherein the mapping is performed by the client partition." Claim 2 is amended to more clearly claim the generating "by a hypervisor." Independent claims 11 and 21 are amended in similar manner to that of claim 1. Support for the submitted amendments may be found in the specification on page 16, last paragraph through page 17, first paragraph.

Applicants do not concede that the originally filed claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are included only to facilitate expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

I. 35 U.S.C. § 101: Asserted Non-statutory Subject Matter

The examiner rejects claims 1-8, 11-18, and 21 as not having a tangible result under 35 U.S.C. § 101. The Examiner opines that these claims "...recite the mapping by the client partition of the logical resource to the physical resource but fails to recite a tangible result ..."

Applicant has amended the claims accordingly. In particular, claim 1 as amended includes, "communicating an identifier from the server partition to the client partition, and responsive to the client partition accepting the identifier, mapping the logical resource into a logical address space of the client partition, wherein the mapping is performed by the client partition," thereby producing a tangible result. Tangible results have been provided first by way of notification through the passing of the identifier and secondly by preparations made by the client to use the "logical resource" by mapping of the resource into the client logical address space thereby providing a specific resource for its use. Support for the amended claim may be found in the description of record on page 16, last paragraph through page 17, first paragraph.

Arguments in support of independent claim 1 apply equally well to independent claims 11 and 21 as the subject matter of the instant claims is similar. Dependent claims 2-8 and 12-18 depend from claims 1 and 11 respectively, therefore the same distinctions for the claimed invention in claims 1 and 11 hold true for claims 2-8 and 12-18. Therefore, the rejection of claims 1-8, 11-18, and 21 under 35 U.S.C. § 101 has been overcome.

II.   35 U.S.C. § 102: Asserted Anticipation

The examiner rejects claims 1-21 as anticipated by *Armstrong et al.*, Processor Reset Generated Via Memory Access Interrupt, U.S. Patent 6,467,007 (October 15, 2002) (hereinafter "*Armstrong*"). This rejection is respectfully traversed. The examiner states that:

> As per claim 1, Armstrong et al. teach logical partitioning with various resources in the physical computer – co. 1, lines 43-67; apparatus or computer 10 represents any of a number of multi-user computer systems such as a network server – col. 4, lines 9-23; a primary partition shares some of the partition management functions for the computer, such as handling the power on or powering off of the secondary partitions on computer 10 – col. 4, lines 55-67, thus, the primary partition acts as a server partition, and the secondary partitions are equivalent to the client partitions. Armstrong et al. teach the allocating/granting of resources – col. 5, lines 25-65; address translation tables/hardware page tables 90-94 are provided in the partition manager to respectively handle the virtual to real address translation/mapping operations.

Office action dated April 10, 2007, p. 3.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983).

In the case at hand, *Armstrong* does not anticipate claim 1 because *Armstrong* fails to teach each and every element of claim 1. In the present case, the Examiner's assertion that these elements are present can be made only through the use of the Applicants' disclosure as a template to fill in the missing elements. As per claim 1, as amended, *Armstrong* does not teach the claimed subject matter of "communicating an identifier from the server partition to the client partition, and responsive to the client partition accepting the identifier, mapping the logical resource into a logical address space of the client partition, wherein the mapping is performed by the client partition." *Armstrong* teaches away from "communicating an identifier" between server and client as there is no stated need or provision for such communication evident in *Armstrong*.

Armstrong teaches use of a "virtual page number" as at col. 8, lines 1-27 and **Figure 3**, in which the partition manager shared services manages the "… address translation table 92 allocated to logical partition 42 …" but does not teach notifying "logical partition 42" using an identifier about the existence of "address translation table 92" as claimed. *Armstrong* does not teach sending the virtual page identifier to the client partition. *Armstrong* maintains the address translation table within the partition manager

space for use by the partition manager, therefore having no apparent need to communicate the page number. Therefore, *Armstrong* fails to teach the claimed subject matter and in providing a complete solution to the problem of *Armstrong* has no need evident to modify its disclosed behavior to include a limitation of notifying. Although the address translation table of *Armstrong* is the only resource discussed in any detail with regard to resource management there is no mention of communicating an identifier as currently claimed.

Furthermore, *Armstrong* does not disclose or give a reason to make the needed changes to reach the presently claimed invention. *Armstrong* actually teaches away from the presently claimed invention because it teaches at col. 7 lines 66-67 and **Figure 3** "...suitable implementation of address translation table 92..." thereby maintaining the resource map centrally, as opposed to "communicating an identifier from the server partition to the client partition, and responsive to the client partition accepting the identifier, mapping the logical resource into a logical address space of the client partition, wherein the mapping is performed by the client partition," as in claim 1. Absent, the examiner pointing out some reasoning to implement *Armstrong* and "communicating an identifier" one of ordinary skill in art would not be led to modify *Armstrong* to reach the present invention when the reference is examined as a whole.

With regard to claims 2-21, these claims contain features similar to those presented with respect to claim 1 as amended. Therefore, the same distinctions between *Armstrong* and claim 1 can be made between *Armstrong* and claims 2-21. Accordingly, *Armstrong* does not anticipate claims 1-21 and the rejection of claims 1-21 under 35 U.S.C. § 102 has been overcome.

III.   Conclusion

The subject application is patentable over the cited reference and should now be in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: July 9, 2007

Respectfully submitted,

/Theodore D. Fay, III/

Theodore D. Fay, III
Reg. No. 48,504
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants

TF/wr/ka